IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.3540 OF 2002

Sayyed Haji Baitullah Khan ..Applicant

Vs.

The State of Maharashtra & Anr. ..Respondents

Mr.Rachekta Dhush i/b Suryavanshi for the petitioner

Mrs.S.D.Shinde, A.P.P. for the state

CORAM : J.N.PATEL &
SMT.ROSHAN S.DALVI, JJ.

DATED : 8TH SEPTEMBER, 2006

P.C.:

1. This petition has been sent by the prisoner, Sayed Haji Baitullah Khan making a grievance against the respondent Jail Authorities and the Chief Medical Officer of the Yeravada Central Prison, Pune that inspite of the Chief Metropolitan Magistrate and the Chief Medical Officer permitted the petitioner to carry medicines and fruits, the jail authorities did not allow him to do so and, therefore, they have violated the order passed by the court and the court should punish them for contempt.

2. We have examined the affidavit in reply and we find that the jail authorities and particularly the three officials who objected to the petitioner carrying articles in prison on his return from court who was sent for attending his case were rightly confiscated and, therefore, no action in the matter is called for. The petitioner prisoner should strictly follow jail discipline and rules and regulations in this regard. With these observations, petition is dismissed. Office to communicate this order to the prisoner.

(SHRI J.N. PATEL, J)

(SMT.ROSHAN DALVI, J)